REMARKS/ARGUMENTS

Applicants have amended Claims 1, 4, 5 and 18 and have canceled Claims 2 and 3.

Claims 1 and 4-18 remain in this application. No new matter was added by the above

amendments. Applicants respectfully request reconsideration of this application in view of the

above amendments and these remarks and arguments.

The Examiner has rejected Claims 1-18 under 35 U.S.C. 103(a) as being unpatentable

over Hendrey, et al. (USPN 6,542,750) in view of Hayashi, et al. (USPN 5,983,107). Applicants

traverse these rejections.

Applicants believe that the combined teachings of Hendrey and Hayashi do not render

former Claim 3 (and amended Claim 1) unpatentable because the combined teachings do not

teach or suggest the limitations of former Claim 3. Therefore in the interest of expediting the

prosecution of this case, Applicants have amended Claims 1 and 18 to include the limitations of

former Claim 3 and intervening former Claim 2. Applicants believe that such amendments place

Claim 1 and dependent Claims 4-17 in a condition for allowance for the reasons set forth below

and likewise place Claim 18 in a condition for allowance.

Former Claim 3 recites the limitations of "sending default community information to

each entity in each said defined community", which Applicants submit are not taught or

suggested in the art cited by the Examiner. More particularly, the Examiner does not argue that

Hayashi teaches such limitations, which Applicants also believe to be the case, but states that

Hendrey at col. 6, lines 26-30 and 32-37 teaches the limitations recited in former Claim 3.

Applicants disagree, and a review of the language in Hendrey cited by the Examiner supports

Applicants' position.

Former Claim 2 (which is also incorporated into amended Claim 1) cited the limitations

of "defining at least one community comprising at least two entities from said list", which the

Examiner argues is taught at col. 6, lines 54-56 and 59-64. This cited language arguably defines

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the at least one community comprising at least two entities from the list [recited in former Claim 2 and amended Claim 1] as: "select users within group list 220 who meet a predetermined distance criterion, or . . . users who are within a predefined distance of the TU 201 . . . [wherein] the users 221 in this filtered list are used . . . as callees." (Col. 6, lines 49-53.) Hendrey further states that "the TU 201 may initiate a multi-way connection via link 111 and communication infrastructure 120 to users satisfying the distance filtering criterion . . . [and if] there are a plurality of callees meeting the distance filtering criterion, then a conference connection may be initiated by TU 201." According to this language in Hendrey, the entities comprising the defined community are users/callees that comprise a filtered list.

The issue, thus, becomes whether Hendrey further teaches or suggests that default group information is *sent to each of the users (or callees) in the filtered group* to support an argument that Hendrey reads on the limitations recited in former Claim 3 and amended Claim 1. Applicants submit that Hendrey does include such teachings - not even in the citations that the Examiner puts forth to support such teachings. The Examiner argues that col. 6, lines 26-30 and 32-37 reads on the limitations of former Claim 3. Applicants disagree. Instead, this language teaches at col. 6, lines 26-30 "The user of TU 201 may also optionally select a predetermined maximum connection distance, or alternately use a default distance value", and the language at col. 6, lines 32-37 teaches "TU 201 may query *the communication infrastructure* 120 via a communication link 111 to determine the distance between TU 201 and each *potential callee* in the selected group 220. TU 201 may perform the query by sending a list of phone numbers." First, nothing in this language teaches that any information (default or otherwise) is being sent to the users or callees in the filtered group as would be needed to support an argument that Hendrey reads on the limitations of former Claim 3 and amended Claim 1. The only data being sent anywhere is a "query" that is being sent to "the communication infrastructure." Moreover, the use of the language "potential callee" further supports that information could not possibly by sent to callees in a filtered group because the filtered group has not yet been established.

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  For the above reasons, Applicants believe that Claims 1-18 are now in a condition for allowance.

  In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.
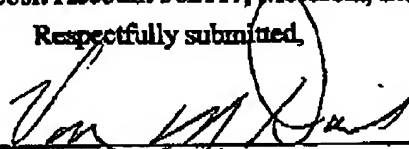
  Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

        Respectfully submitted,

SEND CORRESPONDENCE TO:

           By: _____

Motorola, Inc.   Valerie M. Davis
1303 East Algonquin Road   Attorney of Record
IL01/3rd Floor   Reg. No.: 50,203
Schaumburg, IL 60196
Customer Number: 22917   Telephone:847-576-6733
                Fax No.: 847-576-0721

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